

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

-----	X	
ELI LILLY AND COMPANY,	:	
	:	
Opposer,	:	
v.	:	OPPOSITION NO. 125,202
	:	
H. LUNDBECK A/S,	:	
	:	
Applicant.	:	
-----	X	

**PETITION FOR EXTENSION
OF TESTIMONY TIME**

Opposer hereby requests that its testimony time be rescheduled to close March 7, 2003 and that all other times be reset accordingly. The parties have negotiated a worldwide settlement of their dispute, which will involve withdrawal of the application here opposed, and withdrawal of the opposition. However, it will not be possible to prepare, review, and execute final settlement papers in the near future particularly given the upcoming holidays.

The testimony periods would now be:

30-day testimony period for party in position of plaintiff to close:	March 8, 2003
30-day testimony period of party in position of defendant to close:	May 4, 2003

15-day rebuttal testimony period for
plaintiff to close:

June 21, 2003

Dated: New York, New York
December 19, 2002

Respectfully submitted,

FROSS ZELNICK LEHRMAN & ZISSU,
P.C.

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington,
Virginia 22202-3513 on:

December 19, 2002
(Date of Deposit)

Marie V. Driscoll
(Name of person signing Certificate)

Marie V. Driscoll
(Signature)

December 19, 2002
(Date of Signature)

By: Marie V. Driscoll
Marie V. Driscoll
Attorney for Opposer
866 United Nations Plaza
New York, New York 10017
(212) 813-5900

CERTIFICATE OF SERVICE

A copy of the foregoing Petition on Consent For Extension of Testimony Time
has been mailed by first class mail postpaid this 19th day of December, 2002, to Applicant's
attorney, William R. Hansen, at his current address Duane Morris LLP, 380 Lexington Avenue,
New York, New York 10168 (formerly of Nims, Howes, Collison, Hansen & Atkins, LLP, 605
Third Avenue, Suite 3500, New York, New York 10158).

Marie V. Driscoll
Marie V. Driscoll

TTAB

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

ALVIN FROSS
RONALD J. LEHRMAN
STEPHEN BIGGER
MICHAEL I. DAVIS
ROGER L. ZISSU
MARIE V. DRISCOLL
RICHARD Z. LEHV
DAVID W. EHRLICH
SUSAN UPTON DOUGLASS
JANET L. HOFFMAN
PETER J. SILVERMAN
LAWRENCE ELI APOLZON
BARBARA A. SOLOMON
LISA PEARSON
MARK D. ENGELMANN
NADINE H. JACOBSON
ANDREW N. FREDBECK
GEORGES NAHITCHEVANSKY
CRAIG S. MENDE
PATRICK T. PERKINS
J. ALLISON STRICKLAND

866 UNITED NATIONS PLAZA
AT FIRST AVENUE & 48TH STREET
NEW YORK, N.Y. 10017

TELEPHONE: (212) 813-5900
FACSIMILE: (212) 813-5901
E-MAIL: fzlz@frosszelnick.com

December 19, 2002

BY FIRST CLASS MAIL

JAMES D. SILBERSTEIN
RUTH E. LAZAR
COUNSEL

MICHELLE P. FOXMAN
ROBERT A. BECKER
TAMAR NIV BESSINGER
ANGELA KIM
JOHN P. MARGIOTTA
LYDIA T. GOBENA
DIANE B. MELNICK
MICHAEL CHIAPETTA
DANA BREITMAN
JESSICA MANN
EVAN GOURVITZ
CARLOS CUCURELLA
NANCY C. DICONZA
TANYA FICKENSCHER
ZOE HILDEN
LAUREN J. MANDELL
JAMES D. WEINBERGER
JASON M. VOGEL
VEJAY G. LALLA
DAVID I. GREENBAUM
DAVID A. DONAHUE

Commissioner of Patents and Trademarks
2900 Crystal Drive
Arlington, VA 22202

Box TTAB - NO FEE



12-23-2002

U.S. Patent & TMOfc/TM Mail RcptDt. #30

Re: **Eli Lilly and Company v. H. Lundbeck A/S**
Opposition No. 125,202

Gentlemen:

Enclosed are an original and two copies of the Petition for Extension of Testimony Time of the above-identified trademark. Please acknowledge receipt on the enclosed postcard.

Sincerely,

Marie Driscoll

Marie V. Driscoll

MVD/vm
Enclosures

RECEIVED
DEC 30 AM 9:30
TRADEMARK TRIAL AND
APPEALS

a